

Severe Abuse of Adopted Children Work Group 2/21/2012 Meeting Notes

Attendees: Denise Revels Robinson, Mary Meinig, Robin Arnold Williams, Judge Patricia Clark, Tim Abbey, Pam McKeown, Cheramy Hassan, Jeanne McShane, Sharon Gilbert, Nadine Selene-Hait, Dr. Rebecca Wiester, Kevin Krueger, MaryAnn Curran, Spring Heckt, John Morse, Alan Puckett, Becky Smith, Sheila Huber, Karen Dinan, Bryna Desper, Jana Heyd, Patrick Dowd.

Introductions & Goals Identified by Work Group Members-

- Improve quality assurance in home study and background check process. We often have the right information and need to have a critical eye when assessing potential adoptive parents. Home studies as a policing action. Need to delve into applicant's motivation to adopt. Explore the use of assessment tools in home study process (i.e. CUIDA questionnaire for psychological assessment).
- Improve court scrutiny and oversight of adoptions.
- Lessons learned- Where are we missing the boat, how can we do better in identifying applicants who don't know how to parent traumatized children. Also, identify what is working well in the adoption process.
- Learn from international and domestic adoptions work to inform our future efforts
- Look to some of the safeguards in international adoption process and determine if they can be used in domestic adoptions.
- Focus on the needs of the child and that we are looking for families for children and not children for families.
- Address the needs of traumatized children and how to prepare prospective adoptive parents to care for them.
- Develop practice tools for case workers.
- Risk assessment of current adoption process, Identify gaps, review current policies and procedures and areas where we can do better.
- Improved education and training for adoptive parents, prepare families and child for adoption and address cultural issues.
- Post adoption support- Is it adequate? What do families need?
- Improve licensing standards (WACS) for child placing agencies.
- Selection of adoptive homes should meet the child's cultural needs.
- Legal advocacy for children and youth. Make child advocates more aware of red flags and safety issues of children in adoptive and pre-adoptive homes.
- Explore how policy goals such as permanency timelines impact case planning and placement decisions and may adversely impact child safety.

Background Information-

Mary Meinig presented on a number of cases of severe abuse and neglect occurring in adoptive homes. Common elements related to abuse in many of these cases include: children locked in rooms; sleeping on the floor; forcing the child to remain outdoors; home schooling- isolating the child from the community; denying access to a bathroom; and describing the child as RAD or having behavioral problems (usually not noted in other environments.)

OFCO's review of these cases raised several questions and issues regarding barriers to keeping children safe:

- Has pressure to increase adoptions from foster care created an environment where warning signs are overlooked?
- How are disagreements among professionals regarding a child's placement resolved?
- Are training and professional requirements for individuals conducting home studies sufficient? Do home studies objectively scrutinize whether an applicant is appropriate to adopt, or is it a superficial process, based largely on self reported information, to screen in adoptive parents? How many home studies are denied?
- Does the adoption process sufficiently address the parent's motivation to adopt and how is ambivalence on the part of the prospective adoption parent or child addressed?
- How can the state system track failed and dissolved adoptions?
- Why do we move forward with finalizing adoptions in spite of identified concerns?

Legal Framework –Issues

AAG Sheila Huber provided an overview of the legal framework for adoptions and provided handout material describing state and federal laws as well as international convention governing adoptions. Listed below are issues identified during this presentation and discussion.

Washington State's adoption law provides protections absent in other states, it also provides constitutional rights and protections to adoptive parents.

What qualifications are required to conduct a pre or post-placement report?

- State law describes an individual appointed by the court and qualified to conduct a pre or post-placement report as "a person who has a master's degree in social work or a related field and one year of experience in social work, or a bachelor's degree and two years of experience in social work, and includes a person not having such qualifications only if the court makes specific findings of fact that are entered of record establishing that the person has reasonably equivalent experience. (RCW 26.33.020)
- However, state law also provides that the pre or post placement report may be prepared by a licensed child placing agency. What are the professional qualifications and requirements of an individual preparing a pre or post-placement report for a child placing agency? (RCW 26.33.190)

All adoption home studies, whether favorable or unfavorable, must be filed with the court.

- Very often, this does not occur. If home study is completed prior to filing of an adoption petition, there is no cause number or existing court file.
- Common practice is to not complete the home study if it becomes apparent that the home study will not be approved. This would allow an individual to seek a new home study from a different provider, with no record of a denied home study.

ICPC home studies are not standardized and therefore vary in quality.

Jeanne McShane, Director, Division of Licensed Resources (DLR) provided a summary of state licensing requirements for Child Placing Agencies (CPA) and how the DLR responds to complaints regarding a CPA.

Child Placing Agency (CPA) licensing requirements and standards are not comprehensive.

- The department is in the process of revising the Washington Administrative Code governing CPAs, which provides an opportunity for this group to make recommendations.

Hague Convention and International Adoptions

- Convention only applies to member countries.
- CPA's must report failed adoptions to US State Department.
- Foreign country may have unrealistic expectations or requirements (ie post placement report after adoption is finalized, CPA may not have any way of locating family).
- Some countries (Philippines) require a psychological evaluation of the adoptive parent.

"Failed Adoptions"

- What is the definition of a failed adoption, disrupted adoption or adoption dissolution?
- How do families, CPAs, state agencies, courts, etc respond to failed adoptions?
- Alternative placement of the child are often arranged privately, over the internet.

Discussion to Identify Response and Solutions

Home Study and Observation

- People lie and fail to disclose negative information
- Children often don't disclose abuse or maltreatment
- List of "red flags" may differ among professionals. Factors for a child's advocate to watch for include: locks on cupboards; child's access to food; child's bedroom in the basement (bio-children have individual rooms in main area of the home); and foster children treated differently than bio- children.
- "Unified Home study"- Need to recognize the same expectations for foster parents as adoptive parents.
 - Avoid lengthy placement with a caregiver who is unable to meet requirements to adopt. What is the process when a child is in a home for an extended time and the adoption home study is denied?
 - Will the "Unified Home study" eliminate potential temporary foster care or relative placement resources?
- What is the process to approve/disapprove an adoption home study?
 - At times concerns are considered and dismissed because the child is doing well in the placement and/or the child is placed with a relative.

- Misleading or irrelevant statements such as “the caregiver is really nice” or “the house is always clean” are given too much weight.
- Does this process adequately address the child’s cultural issues and needs?
- Adoption is not simply about safety but about well being.
- Training and qualifications of individuals conducting home studies
 - In some cases, workers have had the “wool pulled over their eyes” by a malevolent caregiver by how they presented themselves.

Motivation to Adopt

- Process must explore the caregiver’s motivation to adopt and whether the caregiver has realistic expectations about the child and adoption.
- No direction for “transition phase” to physically, mentally and emotionally prepare the child and the parent for adoption.
- Does the foster parent have an independent source of income or does he/she rely on foster care or adoption support payments to support the household?
 - Has the foster parent pushed for a higher foster care rate?
- Dynamic of adopted children kicked out of the home when they turn 18 yo and support payments end, basically making these children orphans twice. (See, http://www.nytimes.com/2011/12/30/us/failed-adoptions-create-more-homeless-youths.html?_r=1&scp=3&sq=foster%20care%20homeless&st=cse)

Matching the Child to the Prospective Adoptive Family

- Adoption is not simply about safety but about the child’s well being.
- Misinterpretation/use of psychological evaluations- Evaluation concludes that this person “can parent” while other factors or concerns are ignored.
- Inquiry needs to focus on whether this person has the ability to parent this particular child and understand his/her special needs.
- Process needs to identify and provide the tools to assist the caregiver meet the child’s needs.

Follow Up-

- Select date, time and location of next meeting.
- Identify members of sub-committees for the following topics:
 - Home Study and Approval Process
 - Education and Training
 - Matching the Child to the Prospective Adoptive Family
 - Post-Placement Observations and Support
 - Lessons Learned: What works? Areas of Future Focus

Are there additional topics which should be addressed through a sub-group?

(Comments):

“Home Study and Approval Process” should also address culture, class, empathy and how foster children are perceived.

“Matching the Child to the Prospective Adoptive Family” should also include a directed transition plan to determine the appropriate match for the child.

All sub-committees should collect information, documents, tools and forms relevant to their topic and that will assist this work group better understand these issues and potential solutions.

All sub-committees need to focus on the short and long term needs of the child, and identify a systemic response to these issues.